

**IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO**

IN RE: **EMYDALIA ORTIZ RENTAS**CASE NO: **16-04530-BKT**

Debtor(s)

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES AND REPORT ON CONFIRMATION

Petition Filing Date: **06/06/2016**First Meeting Date: **07/07/2016 at 11:00AM**Days From Petition Date: **162**341 Meeting Date: **11/15/2016 at 11:00AM**910 Days Before Petition: **12/09/2013**Confirmation Hearing Date: **07/29/2016 at 2:30PM**Chapter 13 Plan Date: **06/06/2016** ☐ AmendedPlan Base: **\$35,400.00** Plan Docket # **2**

This is Debtor(s) 2 Bankruptcy petition.

This is the 1 scheduled meeting.

Payment(s) ☐ Received or ☐ Evidence shown at meeting:Total Paid In: **\$2,360.00**

Check/MO# _____

Date: _____ Amount: \$ _____

*APPEARANCES: ☐ Telephone ☐ Video ConferenceDebtor: ☒ Present ☐ Absent ☒ ID & Soc. OKJoint Debtor: ☐ Present ☐ Absent ☐ ID & Soc. OK☒ Examined ☐ Not Examined under Oath☐ Examined ☐ Not Examined under OathAttorney for Debtor(s): ☐ Not Present ☒ PresentName of Attorney Present (Other than Attorney of Record): **Figueroa Colon, Esq.**☐ Pro-se☐ Creditor(s) Present ☒ None

*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **ROBERTO ARISTIDES FIGUEROA COLON***Total Agreed: **\$3,000.00** Paid Pre-Petition: **\$165.00** Outstanding (Through the Plan): **\$2,835.00**

*TRUSTEE'S REPORT ON CONFIRMATION & STATUS OF §341 MEETING

Debtor(s) Income is (are) ☐ Under ☒ Above Median IncomeLiquidation Value: **\$ 0.00**Commitment Period is ☐ 36 months ☒ 60 months §1325(b)(1)(B)Projected Disp. Inc.: **\$ 0.00**The Trustee: ☐ NOT OBJECTS ☒ OBJECTS Plan Confirmation Gen. Uns. Approx. Dist.: **0 %**

§341 Meeting ☐ CONTINUED ☐ NOT HELD ☒ CLOSED ☐ HELD OPEN FOR ____ DAYS

§341 Meeting Rescheduled for:_____

Comments:

*TRUSTEE'S OBJECTIONS TO CONFIRMATION: NOTICE: LBR 3015-2(c)(6) The debtor must within seven (7) days after service of the objection file either: (A) an amended plan that addresses each objection; or (B) a reply setting forth the facts and legal arguments that give rise to the reply in sufficient detail to allow each objector, if possible, to reconsider and withdraw its objection.

[1325(a)(1)] Failure to comply with her/his/their duties.[11 U.S.C.704(a)(4) and 1302(b)(1)]

- Debtor has failed to submit child support income evidence.
- Debtor has failed to submit first pay stub pertaining to January, February, March and April 2016.
- Debtor has failed to submit the insurance quote for the vehicle being paid in full through the plan (Oriental Bank).

[1325(a)(4)] Plan fails Creditors Best Interest Test.

- Debtor has failed to include an account receivable from unpaid child support.

[1325(a)(6)] Payment Default Feasibility – Debtor(s) is in default with proposed plan payments, to the trustee and/or creditor(s).

Debtor is one month in arrears in payments to Trustee.

[1325(a)(6)] Insufficiently Funded – Plan funding insufficient to comply with plan scheduled distribution or no sufficient information to determine it.

The Plan is sufficiently funded to pay Oriental Bank 's claim. Debtor is considering to propose for the payment of value of collateral to creditor.

*OTHER COMMENTS / OBJECTIONS

NOTE: Debtor recently married, but separated. Her husband is not generating any income or paying child support.

- Debtor must amend the Mean Test to identify payment of \$281.25 is the car loan (line 13(b)).

/s/ Jose R. Carrion, Esq. Meeting Date: Nov 15, 2016
Trustee

/s/ Mayra Arguelles, Esq., Presiding Officer